



Town of Newburgh
Town Council Meeting
Wednesday, September 27, 2017

MINUTES

REGULAR SESSION

CALL TO ORDER At 5:30 p.m. in the Council Chambers Newburgh Town Hall 23 W Jennings, Newburgh, IN.

PLEDGE OF ALLEGIANCE

The Pledge-of-Allegiance was led by Town Council.
A moment of silence was shared following the pledge.

REMEMBRANCES

-Susan Diane Schenk - Diane was a 1970 graduate of Castle High School and had worked for Old National Bank for 37 years and attended the First Christian Church in Boonville. Diane was a devoted member of the American Legion Auxiliary Kapperman Post in Newburgh and was the current president of the 8th District American Legion Auxiliary. She was also a member of the ALA Quilters Club at Kapperman Post 44, devoting her time to make quilts for veterans. Diane attended the Senior Center in Newburgh and also belonged to the Hallmark Club.

-Dorothy Wilson Jackson - Dot was a longtime resident of Newburgh, IN where she and her husband were best known for the four decades of operation of the Little Red Barn Antiques in Newburgh. Dot enjoyed, golfing, UK basketball and spending time with her family, especially her little sister, Hazel. She was a longtime member of the American Baptist East Church in Evansville.

ROLL CALL

District I – William F. Kavanaugh - Absent
District II – Leanna K. Hughes - present
District III – Stacie M Krieger - present
District IV – Anne Rust Aurand - present
Council-at-Large – Tonya R. McGuire - Absent
Clerk-Treasurer – Jon Lybarger - present
Town Manager – Christy Powell - present
Town Attorney – Christopher Wischer - present

MINUTES

The minutes for the September 13, 2017 meeting were distributed prior to the meeting. A motion was made by Mrs. Krieger to approve the minutes as they were distributed. Seconded by Mrs. Hughes.
Discussion: None
Vote: Ayes 3; Nays 0

COMMENTS BY CITIZENS PRESENT

-Melinda Mitchell, 101 Yorkshire Drive, Ms. Mitchell wished to discuss three different concerns. First, the tree canopy on 662 at the west edge of the town. She was wishing to know if the town was doing anything about saving the canopy trees on the north side of the road. It was explained that the trimming of the trees was performed by Vectren and the trimming was well underway before the town had an opportunity to get involved. The town did have the trees examined by an arborist and he stated that the trees, some of which are already dead, will probably die within three to five years. It was also stated that the trees are of no value other than to form a canopy at the entrance of the town. The soil at that location will not support the planting of new trees. Also, if new trees could be planted, they would eventually pose the same problem with the power lines. The second item on Ms. Mitchell's list was in regard to the sidewalk on the south side of 662 between the Aurand Trailhead and the Pet Food Center. Her concern is that the sidewalk is in disrepair, narrow and no hand rail or barrier on the south side to keep people and cyclists from riding off and into the ravine. Mrs. Powell assured Mrs. Mitchell that she and the town engineer would look at the sidewalk in question and determine how to resolve the issue should it be deemed necessary. Finally, Mrs. Mitchell brought to the attention of the citizenry present and the Town Council members the attendance records of the Town Council members. She applauded some for having perfect attendance and chided others for not attending and representing their constituency. She wanted to know if there was any action that could be taken to force the attendance at council meetings or have the Councilman replaced. The town attorney stated that an elected official is only required by law to attend one meeting and nothing can be done at the council or party level to have the person replaced.

-Casey DePrest, 1003 SR 662W, Casey stopped by the meeting to introduce herself and explain her new school that is in town. She will be submitting a request to the council later in the evening.

-Kate Fischer, 6597 Heathervale Court, requesting a street closure for the Christmas activities. They want to have a ride for children called the Celler Express. It is a trackless train and this is an issue that will need to be discussed with certain merchants to get their approval for the location of the ride. It was suggested that the issue be discussed and brought back to council.

SCHEDULED REQUESTS AND APPEARANCE

None

NEW BUSINESS

MISCELLANEOUS

- Request for school zone sign at 1003 S.R. 662 –Special needs school – Optimal Rhythms/Access Academy has recently moved into this building. Casey DePrest, founder of the school, is asking that a school zone sign be placed on 662 to slow traffic for the safety of those entering and leaving the property. The school is in the old Hardesty Photography building,. It was suggested that she meet

with a committee to determine if a sign should be erected. The committee will consist of Town Engineer David Hynes, Police Chief Eric Mitchell, Town Manager Mrs. Powell, Town Attorney Mr. Wischer and Councilwoman Mrs. Hughes. After meeting and review, a decision will be made and brought back to council for approval.

ORDINANCES/RESOLUTIONS/PROCLAMATIONS

- Resolution 2017-04 Adopting the Warrick County Multi-Hazard Mitigation Plan
A motion was made by Mrs. Hughes to have the reading of resolution 2017-04.
Seconded by Mrs. Krieger
Discussion: None
Vote: Ayes 3; Nays 0

The resolution was read by counsel.

A motion was made by Mrs. Hughes to accept the reading and adopt resolution 2017-04.
Seconded by Mrs. Krieger
Discussion: None
Vote: Ayes 3; Nays 0

SEWER PROJECTS

- 4566 Lenn Road Sewer Rehabilitation- IDEM Construction Permit
The IDEM construction permit has been prepared and approved by counsel and the engineer comes to council recommending approval.
A motion was made by Mrs. Hughes to accept the IDEM Construction Permit.
Seconded by Mrs. Krieger
Discussion: None
Vote: Ayes 3; Nays 0
- 6588 Westlake Sanitary Sewer Relocation – Pay App. #02 (Koberstein)
This is the final pay application for \$2,243.10 from Koberstein and it is recommended by the town engineer.
A motion was made by Mrs. Hughes to pay payment application #02 from Koberstein Contracting in the amount of \$2,243.10 as final payment.
Seconded by Mrs. Krieger
Discussion: None
Vote: Ayes 3; Nays 0
- 6588 Westlake Sanitary Sewer Relocation – Certificate of Substantial Completion (Koberstein)
A certificate of substantial completion is dated August 31, 2017 and will be effective with the passing of this request by council.
A motion was made by Mrs. Hughes to accept the Certificate of Substantial Completion from (Koberstein)
Seconded by Mrs. Krieger
Discussion: None

Vote: Ayes 3; Nays 0

- Triple Crown LS Elimination Project – Hold Harmless Agreement
This is an agreement between Warrick County and the Town of Newburgh. It is a standard agreement and has been reviewed by counsel and approved.
A motion was made by Mrs. Hughes to accept the Certificate of Substantial Completion from (Koberstein)
Seconded by Mrs. Krieger
Discussion: None
Vote: Ayes 3; Nays 0
- St. Catherine Sanitary Sewer Relocation – Army Corp Permit Application
The project will cross a ditch and a permit is required from ACOE.
A motion was made by Mrs. Hughes to approve the ACOE application
Seconded by Mrs. Krieger
Discussion: None
Vote: Ayes 3; Nays 0
- St. Catherine Sanitary Sewer Relocation – IDEM WQC Permit Application
This is a water quality certification with IDEM this permit is needed to assure that there is no contamination of water due to the project.
A motion was made by Mrs. Hughes to approve the application for the IDEM WQC Permit.
Seconded by Mrs. Krieger
Discussion: None
Vote: Ayes 3; Nays 0
- Lexington Estates Subdivision replat of part of lot 10 and lots 11-24, 27-28, and 31-39 – Plan approval.
There were changes to the sanitary sewer extension from what was previously filed. The revised plans have been reviewed and are approved by engineering and the Newburgh Sewer Department. The value placed on this sewer extension is \$80,870.70.
A motion was made by Mrs. Hughes to approve the recommendation as approved by the Newburgh Sewer Department and the town engineer.
Seconded by Mrs. Krieger
Discussion: None
Vote: Ayes 3; Nays 0
- Evansville Christian SS Extension – Recommendation for Final Acceptance of Sewer
This comes with engineering's recommendation that the town accept the SS extension with a value of \$107,511.25.
A motion was made by Mrs. Hughes to accept the Evansville Christian SS Extension which has a value of \$107,511.25.
Seconded by Mrs. Krieger
Discussion: None

Vote: Ayes 3; Nays 0

UNFINISHED BUSINESS

None

STAFF REPORTS

ZONING ADMINISTRATOR

Since the last meeting, there have been 5 projects, with a total value of \$51,755.00 for these projects. Eight (8) permits were issued, with total fees collected of \$265.00.

No COA's were issued.

CLERK-TREASURER

-We have been contacted by American Legal Publishing to have our Code of Ordinances updated. It is recommended that this be completed annually or on a regular basis, thereby keeping the ordinances up to date for the public. An estimated cost was provided by American Legal to be between \$3,200 and \$4,200.

A motion was made by Mrs. Hughes that the town should enter into an agreement with American Legal Publishing to revised our Code of Ordinances at a cost not to exceed \$4,000.

Seconded by Mrs. Krieger

Discussion: None

Vote: Ayes 3; nays 0

TOWN ATTORNEY

-Working on many sewer related projects, mostly easement issues.

-Dealing with PPMI contracts that are being reassigned to different contractors to complete.

-Awaiting attorney general commentary of reimbursement of expenses for movement of sewer lines related to the Oak Grove widening project.

TOWN ENGINEER

-In reference to the Deaconess lift station upgrade, he has been meeting with contractors and deciding on who will be assigned to complete the projects. It's a slow process at this point. Late October or early November is the date set to begin on the delayed projects.

-Community Crossings grants have been granted. The town is receiving about \$300,000 for use in 4 paving projects. French Island trail is the only one which we will be able to complete this year, which will entail crack sealing.

-Washington Street will be the first project on the to do list for next year.

TOWN MANAGER

-Request to close French Island trail on Friday September 29th from Sycamore to the Lock and Dam from 8 a.m. to 2 p.m. for tree removal.

-The town will be affected by the 5% innkeepers tax, the county has not decided how they will be distributing the funds generated.

-The Community Crossings grant will be used to pave Main Street, reconstruct Washington Street, crack seal French Island Trail and pave a small section of SR662 in front of Driftwood Parke Subdivision.

COMMISSION/COMMITTEE REPORTS

COMMISSION

- Air Authority ~ Mrs. Krieger
No report.
- Board of Zoning Appeals ~ Mrs. McGuire (Mrs. Aurand attended)
 - Fence violation – the resident has been noticed several times and he has been granted a 30 day extension to get issues corrected.
 - Parking variance –proposed new development based on plan, 154 parking spaces are required. Available space will only allow 84 spaces, so, a variance was being sought and granted.
- Fire ~ Mrs. Aurand, reported by Paul Campbell
There were a total of 37 runs made in August. Twenty-nine (29) of these runs were in the township and 8 in the Town of Newburgh. There were no mutual aid or public relation runs.
For the year so far, there have been 291 runs of which 64 have been in town and 213 have been in the township.
 - October 8 will be the fire station open house from 1-4 p.m.
 - Public Relations runs will increase in October due to fire prevention month.
 - Road closures requested for the open house are from Third Street from State to Filmore and Monroe from 2nd to 4th. These closures have been discussed with Chief Mitchell and should pose no problem.A motion was made by Mrs. Aurand to allow the street closures and necessary barricades to block streets.
Seconded by Mrs. Krieger
Discussion: None
Vote: Ayes 3; Nays 0
- Historic Preservation ~ Mrs. Krieger
 - Are there any tax credits available from the town to home owners to do work on their homes. This was just a question that was asked.
- Park ~ Mrs. Krieger
 - Reported by Mrs. Hughes – A public forum was held on meeting night and the outcome of the event was that people thought the three main areas of concern were maintenance, the amphitheater and the Lou Dennis Park.
- Plan ~ Mrs. McGuire (Mrs. Aurand filled in for Mrs. McGuire)
No report.
- Police ~ Mrs. McGuire / Reported by Jon Scully

- The new AED's have been received and training has been completed.
- Speeding on Jennings Street should be addressed. There are many vehicles traveling at too high of speed.
- Site Review Committee ~ Mrs. McGuire, Temp Mr. Kavanaugh
No report.
- Storm Water ~ Mr. Kavanaugh
 - With the potential development of the property at Sharon Road and State Street, the storm sewer and sanitary sewer may be able to be corrected. There is currently a problem with a deteriorating storm water line, and it may be causing some problems with the existing sewer line.
- Street ~ Mrs. Aurand
 - Fixed sinkhole at 112 Washington Street.
 - Repaired loose bricks on walkway behind town hall.
 - Continue to trim limbs back from roads edge and low hanging limbs throughout the town.
 - Trimmed low hanging limbs over the entire walkway.
 - Sprayed a portion of Forest Park ditch.
 - Replaced sign poles at Water St. and Plum St. also Water St. and Jefferson St.
 - Replaced sign pole on Third St. next to guard rail.
 - Trimmed bushes back from porch at Monroe St. house and also pulled fines on house.
 - Smoke tested sinkhole on Jim Moore's property on riverbank.
 - Replaced 30 mph sign and pole on 662 by new subdivision
 - Fixed loose boards on the dock.
 - Continued blowing off walkway.
 - In process relocating Newburgh entrance sign on west end of town.
 - Continued cleaning drains.
 - Filled washouts on walkway near IHOP.
 - Removed poison ivy from fence behind Preservation Hall.
 - Replaced both toilet flanges at the shop.
 - Cleaned up limbs on town properties.
 - Continued patching potholes.
- Utility ~ Mrs. Hughes, Mr. Kavanaugh

STANDING COMMITTEES

- Finance ~ Mrs. McGuire, Mrs. Krieger, Temp Mrs. Hughes
 - Met with Civil Town personnel to discuss the 2018 budget. There are a few needs, but they are not high dollar items. There was discussion regarding raises for the town employees.
- Personnel ~ Mrs. Hughes, Mrs. Aurand
No report.

SPECIAL BOARDS/COMMITTEE REPORTS

- Sidewalk ~ Mrs. Hughes, Mrs. Aurand
No report.
- Arts Commission ~ Mrs. Hughes, Mrs. Krieger
 - Friends and Family gatherings are being scheduled to raise funding and awareness of the amphitheater and the red brick house.
 - Library events are scheduled for September 30th and Mrs. Hughes requested that she be allowed to display various town literature
 - Meet and Greet on October 1st with various businesses from the Newburgh area. The goal is to have them invest in the community.
- Rivertown Trail ~ Mrs. Hughes, Mrs. McGuire, Temp Mrs. Hughes
No report.
- Nominating ~ Mrs. Hughes, Mrs. Krieger
No report.

AD HOC COMMITTEES

- Sign Committee ~ Mrs. Hughes, Mrs. Aurand
No report
- Open Burning ~ Mr. Kavanaugh, Mrs. McGuire
No report.
- Reflection Park ~ Mrs. Hughes, Mrs. Krieger
No report.
- Residential Improvement Recognition ~ Mrs. Aurand, Mrs. Krieger
No report.
- Parking Committee ~ Mr. Kavanaugh, Mrs. McGuire
No report.
- Growth and Progress Committee ~ Mrs. Krieger, Mrs. McGuire
No report.
- Trash ~ Mrs. Hughes, Mrs. McGuire
 - Comments have been made concerning the unsightliness of trash on the streets from Sunday to Tuesday. The town has trash pickup on Tuesday. Could the trash pickup day be changed with the next contract negotiation? It would be nice to have a Monday trash pickup.

MISCELLANEOUS BUSINESS

-Brian Buedel, requested that the sign at St. Catherine and Treelane Drive be change from a Yield to a STOP. If the police chief agrees to the change, an ordinance will need to be written to actually make the change.

-Parking at Preservation Hall. Convert parking behind building to allow two cars to park side by side. There is a dirt strip that was intended to hold flowers but has never been utilized, it is suggested that it be filled with concrete to allow two vehicles to park side by side. Currently, there is space for two vehicles where they park end to end. The concern is with two cars parking side by side, would there still be access to the rear of the building by wheelchair. This should be measured and reviewed.

APPROVAL OF CLAIMS

The following amounts were presented to Town Council for their consideration for payment, plus any sewer adjustments that there may be:

CT \$273,071.10
Sewer \$297,960.77
SRF 1 \$62,056.33
SRF 2 \$45.39

A motion was made by Mrs. Krieger to approve all claims properly signed to be paid.

Second by Mrs. Hughes

Discussion: None

Vote: Ayes 3; Nays 0

ADJOURNMENT

A motion was made to adjourn by Mrs. Krieger at 7:40 p.m.

Second by Mrs. Hughes

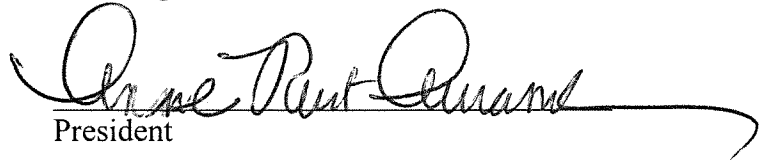
Discussion: None

Vote: Ayes 3; Nays 0

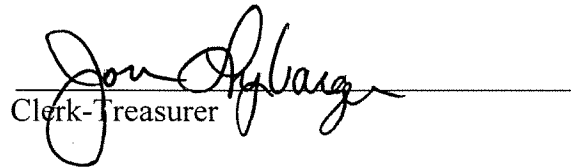
9/27/2017	Town of Newburgh	
	Sign in Sheet	
Name	Address	Area of Concern
Melinda Mitchell	101 Yorkshire Drive	-Trees on Westside Roadway -Sidewalk between Pet Food Center and Trailhead -Town Council Attendance
Casey DePrest	1003 SR 662W	-Introduction -School Safety
Kate Fischer	6597 Heathervale Court	Newburgh Celebrates Christmas

APPROVED this _____ day of _____, 2017.

Newburgh Town Council


President

Attest:


Clerk-Treasurer